

(4) Any motor vehicle of any farmer or person having a general hauler's license, used by such person to haul farm products (other than milk) for his neighbors, where such hauling constitutes the first movement of said products from farm to market, and (except in case of transportation of a seasonal product) is not on regular schedule.

(5) Any motor vehicle operated for a period of not more than three months in any registration year in the transportation of persons employed at a cannery located in any county in Maryland.

(6) Nothing in this subheading shall apply to taxicabs.

(7) Public transportation for hire authorized to operate on the boardwalk in the Town of Ocean City, Maryland.

(8) COMPANY VAN POOLS.

SECTION 6. AND BE IT FURTHER ENACTED, That new Section 2(jj) be and it is hereby added to Article 78 - Public Service Commission Law, of the Annotated Code of Maryland (1975 Replacement Volume and 1975 Supplement) to read as follows:

Article 78 - Public Service Commission Law

2.

(JJ) (1) "COMPANY VAN POOL" MEANS ANY NONPROFIT COMMUTER SERVICE PROVIDED BY OR ORGANIZED BY AN EMPLOYEE ORGANIZATION OR BY A COMPANY [[ON A NONPROFIT BASIS]] OR A GROUP OF COMPANIES FOR ITS EMPLOYEES AND WHICH:

(I) TRANSPORTS EMPLOYEES, INCLUDING THE DRIVER, [[PRIMARILY]] EXCLUSIVELY BETWEEN THEIR HOMES AND THEIR EMPLOYER'S PLACE OF BUSINESS;

(II) IS AVAILABLE ON A NONDISCRIMINATORY BASIS TO ALL OF THE [[COMPANY'S]] EMPLOYEES OF THE COMPANY OR GROUP OF COMPANIES;

(III) DOES NOT REQUIRE PARTICIPATION OF ANY EMPLOYEE AS A CONDITION OF EMPLOYMENT; AND

(IV) USES MOTOR VEHICLES HAVING A SEATING CAPACITY OF NO MORE THAN 15 PERSONS EACH AS THE SOLE MEANS OF TRANSPORTATION ACROSS LAND.

(2) IT DOES NOT INCLUDE ANY COMPANY WHICH PROVIDES COMMUTER SERVICE FOR ANOTHER COMPANY'S EMPLOYEES UNDER A CONTRACT OR AGREEMENT WITH THAT COMPANY.

SECTION 7. AND BE IT FURTHER ENACTED, That this Act